

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

OFFICE OF THE CLERK

LORRETTA G. WHYTE
CLERK

500 POYDRAS ST., SUITE C-151
NEW ORLEANS, LA 70130

August 25, 2005

Robert Di Trolio, Clerk
United States District Court
Western District of Tennessee
111 S. Highland
Jackson, TN 38301

RECEIVED
05 AUG 29 PM 1:51
THOMAS H. GOULD
CLERK U.S. DISTRICT COURT
W.D. OF TN JACKSON

In Re: MDL 1657 Vioxx Products Liability Litigation L (3)

Dear Mr. Di Trolio:

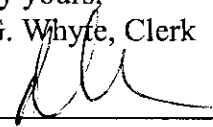
Enclosed are certified copies of a transfer order received from the Multidistrict Litigation Panel in Washington, D.C. It instructs that the cases listed on the attached page be transferred to our district for disposition pursuant to Title 28 USC 1407, as soon as possible. Our office has assigned new civil action numbers to these cases as referenced on the attached page.

DO NOT FORWARD THE ORIGINAL RECORD. The Honorable Eldon E. Fallon, U.S. District Court Judge issued an order directing that the transfer of records consist of only a certified copy of the complaint (including notice of removal, if applicable), any amendments, the docket sheet and the MDL Transfer Order, together with a copy of the transfer letter be forwarded to the transferor court.

Due to the high volume of cases involved in this litigation please provide paper copies of the above documents instead of simply referring to your website.
Your prompt attention in this matter is greatly appreciated.

Should you have any questions regarding this request, please contact Dina Guilbeau at (504)589-7704.

Very truly yours,
Loretta G. Whyte, Clerk

By 
Deputy Clerk

Enclosures
cc: Judicial Panel on Multidistrict Litigation

05-1159

<u>Your Case Nos.</u>	<u>Case Title</u>	<u>Our Case Nos.</u>
1:05-1159	Jerry Foster, et al v. Merck & Co., Inc.	05-3900 L (3)
1:05-1160	Charmain A. Wright, et al v. Merck & Co., Inc.	05-3901 L (3)
1:05-1166	Denny E. West v. Merck & Co., Inc., et al	05-3902 L (3)

A CERTIFIED TRUE COPY

AUG 10 2005

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

2005 AUG 15 AM 11:51

LENETTA G. WHYTE
CLERK

DOCKET NO. 1657

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUL 25 2005

FILED
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE VIOXX PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-20)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 832 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck
Clerk of the Panel

FILED BY [Signature] D.C.
05 AUG 29 PM 1:51
FROM M. GORDON
CLERK U.S. DISTRICT COURT
E.D. OF LOUISIANA

Fee _____
Process _____
X Dktd 2006
CtRmDep 851
Doc. No. _____

05-1159

Inasmuch as no objection is
pending at this time, the
stay is lifted.

AUG 10 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

**CLERK'S OFFICE
A TRUE COPY**

AUG 19 2005

Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LA

12



Notice of Distribution

This notice confirms a copy of the document docketed as number 12 in case 1:05-CV-01159 was distributed by fax, mail, or direct printing on August 30, 2005 to the parties listed.

Robert M. Fargarson
NEELY GREEN FARGARSON BROOKE & SUMMERS
65 Union Ave.
Ste. 900
Memphis, TN 38103--054

Steven G. Ohrvall
HILL BOREN- Jackson
1269 N. Highland Ave.
P.O. Box 3539
Jackson, TN 38303--353

Charles C. Harrell
BUTLER SNOW O'MARA STEVENS & CANADA, PLLC
6075 Poplar Ave.
Ste. 500
Memphis, TN 38119

Joe S. Moore
Circuit Court Clerk
Haywood County Cthse.
Brownsville, TN 38012

Honorable James Todd
US DISTRICT COURT